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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

10 UNITED STATES OF AMERICA,) CR No. 09-0582 MHP
11 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
12) CONTINUING SENTENCING DATE
13 v.)
14 JAMES GILBERT KELLEMS)
15 Defendant.)
16 _____)

17 **STIPULATION**

18 Defendant's sentencing date is scheduled for Monday, October 5, 2009 at 9:00 a.m. The
19 parties received a "Criminal History Memorandum" (which also contains an offense level and a
20 "recommended sentence") from U.S. Probation on September 25, 2009, and with the current
21 sentencing date, the sentencing memoranda are due on September 28, 2009.

22 Undersigned defense counsel requests a short continuance of the sentencing date so that she
23 can review the report with Mr. Kellems prior to filing her sentencing memorandum. The next
24 available date before this Court is October 26, 2009. The government has no objection to this
25 request.

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STIP. & [PROPOSED] ORDER
CR No. 09-0582 MHP

1 SO STIPULATED:

2 JOSEPH P. RUSSONIELLO
3 United States Attorney

4 DATED: September 28, 2009

5 /s/
6 CYNTHIA FREY
7 Assistant United States Attorney

8 DATED: September 28, 2009

9 /s/
10 SHAWN HALBERT
11 Assistant Federal Public Defender

12 **[PROPOSED] ORDER**

13 For the reasons stated above, the Court finds that the continuance of the sentencing date
14 before this court from October 5, 2009 to October 26, 2009 is warranted.

15 SO ORDERED.

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17 DATED: 9/30/2009

